

Message Text

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ACTION IO-13

INFO OCT-01 ARA-06 EUR-12 ISO-00 OIC-02 SSO-00 NSCE-00

INRE-00 USIE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 AID-05

COME-00 EB-07 FRB-03 TRSE-00 XMB-02 OPIC-03 CIEP-01

LAB-04 SIL-01 OMB-01 STR-04 CEA-01 AF-08 EA-07 NEA-10

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FM USMISSION GENEVA

TO SECSTATE WASHDC NIACT IMMEDIATE 1550

INFO AMEMBASSY MEXICO

USMISSION EC BRUSSELS

USMISSION USUN NEW YORK

USMISSION OECD PARIS

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E.O. 11652: N/A

TAGS: ECOSOC EGEN

SUBJ: 61ST ECOSOC-ITEM 11 - CHARTER OF ECONOMIC RIGHTS AND
DUTIES OF STATES

REF: GENEVA 6079

1. SUMMARY: THE MEXICAN-INITIATED DRAFT RESOLUTION ON THE CERDS
WAS FORMALLY INTRODUCED ON JULY 29 AND A VOTE IS EXPECTED ON
JULY 30, A.M. WESTERN DELEGATION WE HAVE BEEN ABLE TO CONTACT
SO FAR DO NOT YET HAVE INSTRUCTIONS,BUT MOST SEEM TO BE INCLING
TOWARD ABSTENTION. WE OFFER SOME COMMENTS BELOW AND REQUEST
INSTRUCTIONS BY OPENING OF BUSINESS JULY 30 GENEVA TIME.
END SUMMARY.

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2. THE RESOLUTION ON CERDS WAS INTRODUCED IN THE ECONOMIC

COMMITTEE IN THE MORNING OF JULY 29 BY EGYPT ON BEHALF OF THE G-77 PLUS GDR AND BULGARIA. THE EGYPTIAN REP STATED THE SIGNIFICANCE WAS NOT ONLY TO ESTABLISH PROCEDURES FOR REVIEWING IMPLEMENTATION OF THE CERDS BUT ALSO TO PROVIDE AN OPPORTUNITY FOR THOSE COUNTRIES WHO HAD NOT AGREED TO ALL OF THE CERDS TO JOIN THE REST IN ACCEPTING AND IMPLEMENTING ITS TOTALITY. THE MEXICAN REP (AMBASSADOR BARCELO) STATED THE RESOLUTION OPENED THE CERDS TO THE EXPRESSION OF VIEWS OF ALL MEMBERS.

3. BARCELO, WHO HAS REPEATEDLY SOUGHT OUR AGREEMENT, TRIED TO EMPHASIZE THIS SAME POINT TO US. HOWEVER, WE SEE NOTHING IN THE RESOLUTION SUGGESTING RECEPTIVITY TO ANY MODIFICATION OF THE CERDS, AND BARCELO BACKED AWAY FROM ANY SUCH SUGGESTION, STATING THIS WAS UP TO THE GA. HE EVEN OFFERED TO SUPPORT OUR ILLICIT PAYMENTS RESOLUTION IF WE AGREED TO THE CERDS RESOLUTION.

4. WE SUGGEST BEARING IN MIND THE FOLLOWING:

(A) WHILE VOTING AGAINST THE CERDS AS A WHOLE, THE US AND SEVEN OTHERS ABSTAINED ON ARTICLE 34 PROVIDING FOR PERIODIC GA CONSIDERATION OF PROGRESS IN IMPLEMENTATION AND ANY NECESSARY IMPROVEMENTS OR ADDITIONS.

(B) THE US, UK AND FRG VOTED "NO" AND ELEVEN OTHERS ABSTAINED ON GA RESOLUTION 3486 (XXX) WHICH CHARGED ECOSOC WITH REVIEWING AND REPORTING ON IMPLEMENTATION OF THE CERDS AND THUS SET IN MOTION THE CURRENT EXERCISE. AN IMPORTANT DIFFERENCE BETWEEN RES 3486 AND THE CURRENT DRAFT IS THAT THE FORMER CONTAINS LANGUAGE REITERATING SUPPORT FOR THE NIEO AND CERDS, WHILE SIMILAR LANGUAGE IN AN EARLIER VERSION OF THE CURRENT DRAFT WAS REMOVED (REFTEL).

(C) THE SECON PREAMBULAR PARAS OF BOTH RESOLUTIONS REITERATE LANGUAGE IN SEVENTH SPECIAL SESSION RESOLUTION 3362 WHICH OCCASIONED OUR GENERAL RESERVATION ON THE NIEO AND CERDS.

(D). THE US JOINED IN A CONSENSUS ON UNCTAD RESOLUTION 90 (IV) (REFERRED TO IN OPERATIVE PARA SIX OF THE CURRENT DRAFT RESOLUTION) WITH A MILD EXPLANATION THAT, WHILE NOT SUPPORTING THE NIEO AND CERDS, WE RECOGNIZED THAT MAJORITY DECISIONS OF THE GA PLACED OBLIGATIONS ON ITS SUBSIDIARY BODIES TO RESPOND. (COMMENT: LIMITED OFFICIAL USE

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WE DO NOT BELIEVE THIS CREATES ANY OBLIGATION OF THE U.S. TO AGREE TO AN ECOSOC RESOLUTION OF THIS KIND.)

(E) WHILE THE MEXICANS AND EVEN SOME OF OUR WESTERN FRIENDS ARGUE THAT THE DRAFT RESOLUTION (WITHOUG THE LANGUAGE SPECIFICALLY SUPPORTING THE CERDS) IS PROCEDURAL, THERE IS AN OBVIOUS INCONSISTENCY FOR US (AND SOME OTHERS) IN ESTABLISHING A PROCEDURE FOR REVIEWING IMPLEMENTATION OF A DOCUMENT WE OPPOSED.

5. THE FOLLOWING ARE THE RESULTS OF OUR SOUNDINGS TO DATE AMONG WESTERN DELEGATIONS, NONE OF WHOM HAVE YET RECEIVED INSTRUCTIONS ON THIS DRAFT. THE UK DELEGATION HAS SUGGESTED TO LONDON EITHER AN ABSTENTION OR "YES" WITH EXPLANATION, ASKING FOR FLEXIBILITY TO GO TO ABSTENTION IF THIS IS THE POSITION OF THE US AND FRG. THE FRG IS ALSO THINKING OF AN ABSTENTION, AND BELIEVES THIS WOULD BE MORE LIKELY TO BRING AROUND WAVERERS THAN WOULD A NEGATIVE VOTE. THE FRENCH HAVE NOT YET FOCUSED ON THE MATTER. THE ITALIANS ARE VERY NEGATIVE, BETWEEN A "NO" AND AN ABSTENTION. THE DANES AND JAPANESE EXPECT TO ABSTAIN. THE CANADIANS ARE HOVERING BETWEEN AN ABSTENTION AND A "YES". ALTHOUGH WE HAVE NOT YET TALKED TO THE BELGIANS, WE GUESS THEY WOULD ABSTAIN IF THE OTHER EC-9 MEMBERS DO LIKEWISE. (SIX OF THE NINE ARE MEMBERS OF ECOSOC.)

6. WE SUGGEST THE DEPT GIVE US FLEXIBILITY TO ABSTAIN IF THIS BECOMES THE COMMON POSITION OF OUR ALLIES, WITH THE OPTION OF MOVING TO "NO" IN THE UNLIKELY EVENT THAT OTHER POSITIONS (PARTICULARLY THE UK AND FRG) SHOULD HARDEN TO "NO." WE WOULD PLAN A LOW KEY EXPLANATION AFTER THE VOTE TO THE EFFECT THAT OUR VOTE WAS OCCASIONED BY OUR WELL-KNOWN POSITION ON THE CERDS, WHICH HAS NOT CHANGED. ABRAMS

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